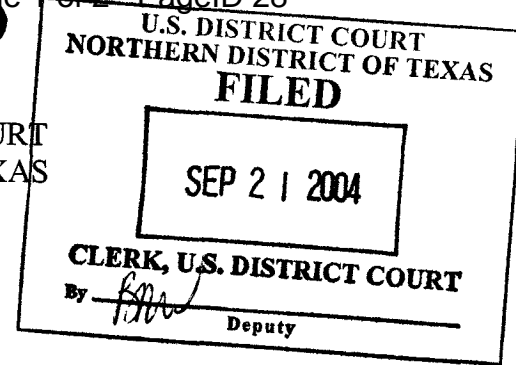


IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION



RICHARD ALEXANDER  
Plaintiff,

vs.

HOME DEPOT USA, INC.

Defendant.

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CIVIL ACTION NO. 3:04-CV-521-P

**ORDER OF DISMISSAL WITH PREJUDICE**

Plaintiff and Defendant having Stipulated to the dismissal of this case with prejudice to the refiling thereof, the Court hereby orders that the case should be dismissed with prejudice with each party to bear its own costs.

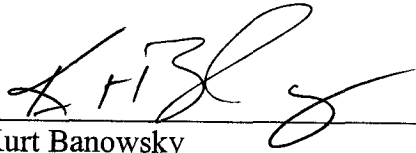
IT IS THEREFORE ORDERED that this case is dismissed with prejudice to the re-filing thereof, with each party to bear its own costs and attorneys' fees.

IT IS SO ORDERED.

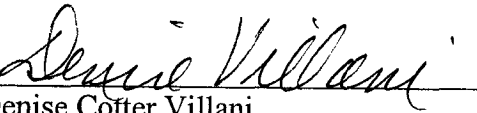
DATED this 21st day of September, 2004.

UNITED STATES DISTRICT JUDGE

APPROVED AS TO FORM:

A handwritten signature in black ink, appearing to read 'K. Banowsky', written over a horizontal line.

Kurt Banowsky  
Attorney for Plaintiff

A handwritten signature in black ink, appearing to read 'Denise Villani', written over a horizontal line.

Denise Cotter Villani  
Attorney for Defendant